

1 Joseph R. Saveri (State Bar No. 130064)
jsaveri@lchb.com
2 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
3 Eric B. Fastiff (State Bar No. 182260)
efastiff@lchb.com
4 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
275 Battery Street, 30th Floor
5 San Francisco, CA 94111-3339
Telephone: (415) 956-1000
6 Facsimile: (415) 956-1008

7 [Additional Counsel Listed on Signature Page]

8 *Attorneys for Individual and Representative Plaintiff*
9 *Carl Phillips*

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 (OAKLAND DIVISION)
13

14 CARL PHILLIPS, individually, and on behalf of
15 all others similarly situated,

16 Plaintiff,

17 v.

18 SEARS, ROEBUCK & CO., *et al.*,

19 Defendants.

Case No. 08-02671 SBA

**NOTICE OF PENDENCY OF
OTHER ACTION OR
PROCEEDING**

20
21 **TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:**

22 **PLEASE TAKE NOTICE**, pursuant to Local Rule 3-13, Plaintiff Carl Phillips
23 provides notice that *Carl Phillips v. Sears, Roebuck and Co., et al.*, Case No. 08-02671 SBA
24 ("*Phillips*"), involves all or a material part of the same subject matter and all or substantially all
25 of the same parties in actions captioned *Fritz v. Sears, Roebuck & Co., et al.*,

26 ///

27 ///

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No. 3:08-CV-02545-JAP-TJB (D. N.J.); *Phillips v. Sears, Roebuck & Co., et al.*, No. 06-cv-0412-GPM/DGW (S.D. Ill.).

Respectfully submitted,

Dated: June 10, 2008

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

By: /s/ Eric B. Fastiff
Eric B. Fastiff

Joseph R. Saveri (State Bar No. 130064)
jsaveri@lchb.com
Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
Eric B. Fastiff (State Bar No. 182260)
efastiff@lchb.com
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
Embarcadero Center West
275 Battery Street, 30th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000

Samuel D. Heins
sheins@heinsmills.com
Vincent J. Esades
vesades@heinsmills.com
Scott W. Carlson
scarlson@heinsmills.com
Katherine T. Kelly
kkelly@heinsmills.com
HEINS MILLS & OLSON, P.L.C.
310 Clifton Avenue
Minneapolis, MN 55403
Telephone: (612) 338-4605

Brian M. Sund
bsund@morrisonfenske.com
Eric G. Nasstrom
enasstrom@morrisonfenske.com
Joshua G. Hauble
jhauble@morrisonfenske.com
MORRISON FENSKE & SUND, P.A.
5125 County Road 101, Suite 102
Minnetonka, MN 55345
Telephone: (952) 975-0050

Attorneys for Individual and Representative Plaintiff Carl Phillips

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2008, I caused the foregoing document to be served via U.S. Mail to the following:

William H. Manning
**ROBINS, KAPLAN, MILLER
& CIRESI L.L.P.**
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402

Judy L. Cates
THE CATES LAW FIRM, L.L.C.
216 West Pointe Drive, Suite A
Swansea, IL 62226

Platinum Equity, LLC
c/o CT Corporation System
818 West 7th St., Second Floor
Los Angeles, CA 90017

Charles J. Swartwout
**GUNDLACH, LEE, EGGMANN,
BOYLE & ROESSLER**
5000 West Main Street, P.O. Box 23560
Belleville, IL 62223-0560

Craig C. Martin
JENNER & BLOCK
330 North Wabash Avenue
Chicago, IL 60611-7603

Robert H. Shultz, Jr.
**HEYL, ROYSTER, VOEKLER
and ALLEN, P.C.**
103 W. Vandalia Street, Suite 100
Edwardsville, IL 62025

David B. Johnson
**SIDLEY AUSTIN BROWN
& WOOD LLP**
Bank One Plaza
10 South Dearborn Street
Chicago, IL 60603

William A. Schmidt
**GREENSFELDER, HEMKER
& GALE, P.C.**
12 Wolf Creek Drive, Suite 100
Swansea, IL 62226

Scott M. Mendel
BELL, BOYD & LLYOD LLC
70 West Madison Street
Chicago, IL 60602

Ann Hatch
HERZOG CREBS LLP
5111 W. Main Street
Belleville, IL 62226

G. William Frick
VAN NESS FELDMAN
1050 Thomas Jefferson Street, N.W.
Seventh Floor
Washington, D.C. 20007

Michael Nester
**DONOVAN, ROSE, NESTER
& JOLEY, P.C.**
8 East Washington Street
Belleville, IL 62220-2190

Thomas O. Kuhns
KIRKLAND & ELLIS LLP
200 East Randolph Drive
Chicago, IL 60601

Richard T. Coyne
**WEGMAN, HESSLER
& VANDERBURG**
6055 Rockslide Woods Boulevard
Suite 200
Cleveland, OH 44131

Robert D. Owen
FULBRIGHT & JAWORSKI
666 Fifth Avenue
New York, NY 10103-3198

John E. Galvin
FOX GALVIN, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102

Richard A. Mueller
THOMPSON COBURN, LLP
One US Bank Plaza, Suite 2700
St. Louis, MO 63101-1611

1 Kevin T. Hoerner
2 **BECKER, PAULSON, HOERNER &**
3 **THOMPSON, P.C.**
4 5111 West Main Street
5 Belleville, IL 62226

6 Donald J. Dahlmann
7 **WALKER AND WILLIAMS P.C.**
8 4343 West Main Street
9 Belleville, IL 62226

Roger L. Longtin
DLA PIPER RUDNICK GRAY CARY
203 N. LaSalle Street
Chicago, Illinois 60601

Eric N. Macey
NOVACK AND MACEY LLP
100 North Riverside Plaza
Chicago, IL 60606-1501

10 */s/ Eric B. Fastiff*

Eric B. Fastiff